

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/734,583  
Applicant : Hidetoshi ANDOU, et al  
Filed : December 15, 2003  
TC/A.U. : 1647  
Examiner : Allen, Marianne P.

Docket No. : 2923-595  
Customer No. : 6449  
Confirmation No. : 2600

DECLARATION UNDER 35 U.S.C. §1.132

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

We, Hidetoshi Andou, Jun Honda, Shunjiro Sugimoto, Gertrud Hötten, Rolf Bechtold and Jens Pohl, declare as follows:

1. That Hidetoshi Andou, Jun Honda, Shunjiro Sugimoto, Gertrud Hötten, Rolf Bechtold and Jens Pohl are the inventors of the subject matter described and claimed in the United States Patent Application Serial No. 10/734,583, filed on December 15, 2003, entitled "Process for Preparing Purified Active Monomer of Bone-Derived Factor."
2. That the named inventors of U.S. Patent No. 6,551,801 ("the '801 patent") are Hidetoshi Andou, Jun Honda, Shunjiro Sugimoto.
3. That subject matter relating to purification of monomeric BMP proteins including MP52, which is disclosed but not claimed in the '801 patent, was derived from the named inventors of the present application Serial No. 10/734,583.

4. That the named inventors of U.S. Patent No. 6,972,321 ("the '321 patent") are Gertrud Höttén, Rolf Bechtold and Jens Pohl.

5. That subject matter relating to producing monomeric BMP proteins including MP52 having a cysteine mutated to prevent intermolecular disulfide bonds, which is disclosed but not claimed in the '321 patent, was derived from the named inventors of the present application Serial No. 10/734,583.

6. The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

by

Hidetoshi Andou 2007. 9. 6  
Hidetoshi Andou Date

本田 淳 2007. 9. 20  
Jun Honda Date

杉本 俊一郎 Sept. 9, 2007  
Shunjiro Sugimoto Date

\_\_\_\_\_  
Gertrud Höttén Date

Rolf Bechtold \_\_\_\_\_ Date

Jens Pohl \_\_\_\_\_ Date

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Bechtold and Jens Pohl, declare as follows:

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4. That the named inventors of U.S. Patent No. 6,972,321 ("the '321 patent") are Gertrud Hötten, Rolf Bechtold and Jens Pohl.

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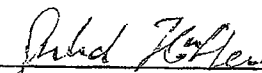
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by

Hidetoshi Andou Date

Jun Honda Date

Shunjiro Sugimoto Date

 07.09.07  
Gertrud Hötten Date

Rolf Bechtold      August 15<sup>th</sup>, 2007  
Rolf Bechtold      Date

Jens Pohl      August 16<sup>th</sup>, 2007  
Jens Pohl      Date